

Gilmore & Monahan, P.A.
10 Allen Street
P.O. Box 1540
Toms River, NJ 08754
(732) 240-6000
Attorney for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ASSOCIATION OF NEW JERSEY RIFLE :
AND PISTOL CLUBS, INC., a New Jersey Not
For Profit Corporation; SCOTT L. BACH; KAARE : CIVIL ACTION NO.:
A. JOHNSON; VINCENT FURIO; STEVEN YAGIELLO
And BOB'S LITTLE SPORT SHOP, INC., a New : 10-cv-00271-JAP-TJB
Jersey Corporation, :
Plaintiffs, : STIPULATION OF SETTLEMENT
AMONG PLAINTIFFS AND
DEFENDANT LITTLE EGG
HARBOR TOWNSHIP
v. :
CHRISTOPHER . CHRISTIE, Governor :
Of the State of New Jersey; PAULA :
T. DOW, Attorney General of the State :
Of New Jersey; COLONEL RICH FUENTES, :
Superintendent, Division of New Jersey State :
Police; WASHINGTON TOWNSHIP (Morris :
County); CITY OF HACKENSACK, LITTLE EGG :
HARBOR TOWNSHIP and XYZ MUNICIPALITIES :
1-563, :
Defendants, :

STIPULATION OF SETTLEMENT

This Stipulation of Settlement ("Stipulation") is entered into among (i) Plaintiff's, Association of Rifle and Pistol Clubs, Inc., Scott L. Bach, Kaare A. Johnson, Vincent Furio, Steven Yagiello and Bob's Little Sports Shop, Inc. (collectively, the "Plaintiffs"), and (ii) Defendant, Little Egg Harbor Township ("Little Egg Harbor"), by and through their undersigned attorneys.

WHEREAS, on or about December 1, 2009, Plaintiff Steven Yagiello (“Yagiello”) applied to the Little Egg Harbor Township Police Department for three Permits to Purchase a Handgun (“Permits”); and

WHEREAS, Yagiello was advised that if the permits were issued after January 1, 2010, after the effective date of the One Gun per Month Law, he could only be issued one permit at a time; and

WHEREAS, on or about January 7, 2010 Yagiello was issued only one permit and refunded \$4.00; and

WHEREAS, on or about March 30, 2010 the New Jersey State Police issued a letter of guidance to municipal police departments, advising in part that local agencies may not limit the number of Permits to Purchase a Handgun applied for or issued to an applicant; and

WHEREAS, Little Egg Harbor acknowledges that it may not limit the number of permits to an applicant;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Plaintiffs and Little Egg Harbor, by and through their duly authorized counsel:

1. The claims raised in the above-captioned matter against Little Egg Harbor are dismissed without prejudice and without costs or fees to any party, except as specifically provided herein, based upon the terms and conditions set forth in this Stipulation;
2. Defendant Little Egg Harbor Township shall pay to Plaintiffs the total sum of one thousand dollars (\$1,000) toward their counsel fees within ten (10) days of signing this Stipulation;
3. All parties to this Stipulation have been represented by counsel and have agreed to the execution of this document after being advised by counsel. The persons signing this Stipulation have authority to bind their respective clients; and facsimile and in counterparts.

We hereby agree to this Stipulation and the terms contained herein:

ASSOCIATION OF NEW JERSEY RIFLE AND PISTOL CLUBS, INC., SCOTT L.
BACH, KAARE A. JOHNSON, VINCENT FURIO, STEVEN YAGIELO AND BOB'S
LITTLE SPORTS SHOP, PLAINTIFFS

BY:

Dated:

/s/ Daniel L. Schmutter
Daniel L. Schmutter, Esq.
Farer Fersko, A Professional Assoc.
600 South Avenue
P.O. Box 580
Westfield, NJ 07091-0580
(908) 789-8550
Attorneys for Plaintiffs

January 14, 2011

LITTLE EGG HARBOR TOWNSHIP,
DEFENDANT

BY:

/s/ Michael J Gilmore
Michael J. Gilmore, Esq.
Gilmore & Monahan, P.A.
10 Allen Street
P.O. Box 1540
Toms River, NJ 08754
(732) 240-6000
Attorney for Defendant

January 7, 2011

SO ORDERED: